

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

RE: MARGARET A. SMITH,  
Debtor(s)

Case No.: 11-50349-KMS  
Chapter 13 Proceeding

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**DEBTOR(S') CERTIFICATION AND MOTION FOR ENTRY OF  
CHAPTER 13 DISCHARGE PURSUANT TO 11 U.S.C. §1328 (a) AND (h)**

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**THIS MOTION SEEKS AN ORDER DISCHARGING THE DEBTOR(S) PURSUANT TO §1328 (a) AND (h) OF THE BANKRUPTCY CODE.** If you oppose this Motion, you must file a Response with the Court at its address of Clerk of Court, United States Bankruptcy Court, Southern District of Mississippi, Dan M. Russell, Jr., U.S. Courthouse, 2012 15th Street, Suite 244, Gulfport, MS 39501, within twenty-one (21) days from the date listed on the attached Certificate of Service. Your Response must set forth the specific factual allegations with which you disagree, and a copy of your Response must be served on the Debtor(s) (see address on attached Master Mailing Matrix) and the Debtor's(s') Attorney at his address of David L. Lord, Esq., David L. Lord and Associates, P.A., 1819 24<sup>th</sup> Avenue, Gulfport, MS 39501. If no timely Response is filed, the Court may grant this Motion and enter an Order discharging the Debtor(s) without holding a hearing. A timely Response is necessary for a hearing to be held.

1. By signing below, the Debtor(s) certify under penalty of perjury that the following statements are true and correct:
  - A. For cases filed on or after March 10, 2008, I/we have completed a personal financial management instructional course provided through an agency approved by the United States Trustee and have filed a statement prepared as prescribed by Official Form 23 (In a joint case, both husband and wife must each complete the course and file an Official Form 23) or the approved personal financial management course provider has notified the court that I/we have completed a post-petition instructional course concerning personal financial management. **11 U.S.C. §1328(g)**
  - B. All pre-petition amounts owed by me on a domestic support obligation ("Domestic Support Obligation" as defined at 11 U.S.C. §101(14A)), if any, have been paid to the extent provided by the plan. All post-petition amounts owed by me on a domestic support obligation, if any, have been paid. **11 U.S.C. §1328(a)**
  - C. I/We have not received a discharge under chapter 7, 11 or 12 of the Bankruptcy Code in a prior case filed during the four-year period preceding the date that the petition was filed in this case. **11 U.S.C. §1328(f)(1)**
  - D. I/We have not received a discharge under chapter 13 of the Bankruptcy Code in a prior case filed during the two-year period before the date that the petition was filed in this case. **11 U.S.C. §1328(f)(2)**
  - E. I/we have not been convicted of a felony, the circumstances of which would demonstrate that the filing of this bankruptcy case constituted an abuse of the provisions of the Bankruptcy Code. **11 U.S.C. §1328(h)(1) and §522(q)(1)(A)**

F. If I/we owe a debt arising from: (i) any violation of any State or Federal securities laws, regulations or orders, (ii) fraud, deceit or manipulation in a fiduciary capacity or in connection with the purchase or sale of any security, (iii) a civil remedy under §1964 of Title 18 of the United States Code, or (iv) that caused serious injury or death to another individual in the preceding five (5) years, then I/we have not claimed an exemption for my/our residence in an amount in excess of the statutory cap as prohibited by §522(q)(1) of the Bankruptcy Code. 11 U.S.C. **§1328(h)(1) and §522(q)(1)(B)**

G. No proceeding is pending in which I/we may be found guilty of a felony of the kind described in §522(q)(1)(A) or in which I/we may be found liable for a debt of the kind described in §522 (q)(1)(B). **11 U.S.C. §1328(h)(2)**

H. I/We have made all payments required by my confirmed Chapter 13 plan.

2. Debtor(s) hereby move the Court for the entry of a discharge order in this case.



Debtor's Signature

6-27-16

Date

Spouse's Signature (if Joint case)

\_\_\_\_\_  
Date

/s/ David L. Lord   
David L. Lord (G) MS Bar No. 1427  
Attorney for the Debtor(s)  
David L. Lord and Associates, P.A.  
1819 24<sup>th</sup> Avenue  
Gulfport, MS 39501  
Phone: (228) 868-5667 Fax: (228) 868-2554  
E-mail: [lordlawfirm@bellsouth.net](mailto:lordlawfirm@bellsouth.net)

7/12/16

Date

#### CERTIFICATE OF SERVICE

I, David L. Lord, of David L. Lord and Associates, P.A., Counsel for the above-listed Debtor(s), do hereby certify that I have this day served, either electronically by the *Notice of Electronic Filing*, or by First-Class U.S. Mail, a true and correct copy of the above *Certification and Motion* to the following interested parties on this 12<sup>th</sup> day of July, 2016.

/s/ David L. Lord   
David L. Lord (G) MS Bar No. 1427

Clerk of Court  
United States Bankruptcy Court  
Dan M. Russell, Jr., U.S. Courthouse  
2012 15<sup>th</sup> Street, Suite 244  
Gulfport, MS 39501

Henry G. Hobbs, Jr., Esq.  
U.S. Trustee  
[USTPRegion05.JA.ECF@usdoj.gov](mailto:USTPRegion05.JA.ECF@usdoj.gov)

Warren A. Cuntz, Jr., Esq.  
Chapter 13 Trustee  
[wacuntzcourt@cableone.net](mailto:wacuntzcourt@cableone.net)

All Creditors on the attached Master  
Mailing Matrix

Label Matrix for local noticing  
 0538-1  
 Case 11-50349-KMS  
 Southern District of Mississippi  
 Gulfport-1 Divisional Office  
 Tue Jul 12 15:51:42 CDT 2016

JP Morgan Chase  
 Shapiro & Massey, LLP  
 1910 Lakeland Drive, Suite B  
 Jackson, MS 39216-5029

Back Bowl I, L.L.C.  
 c/o Weinstein & Riley, P.S.  
 2001 Western Ave  
 Ste. 400  
 Seattle, WA 98121-3132

GE Money Bank  
 c/o Recovery Management Systems Corp.  
 25 SE 2nd Avenue, Suite 1120  
 Miami, FL 33131-1605

JPMORGAN CHASE BANK, NA CHASE AUTO FINANCE  
 Mail Code LA4-5555 700 Kansas Lane  
 Monroe, LA 71203

Midland Funding LLC by American InfoSource L  
 PO Box 4457  
 Houston, TX 77210-4457

PRA Receivables Management, LLC  
 PO Box 12907  
 Norfolk, VA 23541-0907

PRA Receivables Management, LLC  
 PO Box 41067  
 Norfolk, VA 23541-1067

SELECT PORTFOLIO SERVICING, INC  
 3815 South West Temple  
 Salt Lake City, UT 84115-4412

United States Trustee  
 501 East Court Street  
 Suite 6-430  
 Jackson, MS 39201-5028

U.S. Bankruptcy Court  
 Dan M. Russell, Jr. U.S. Courthouse  
 2012 15th Street, Suite 244  
 Gulfport, MS 39501-2036

BANK OF AMERICA  
 PO BOX 15028  
 WILIMINGTON DE 19850

BANK OF AMERICA  
 PO BOX 851001  
 DALLAS TX 75285-1001

BANK OF WIGGINS  
 PO BOX 67  
 WIGGINS MS 39577-0067

CHASE AUTO FINANCE  
 PO BOX 78067  
 PHOENIX AZ 85062-8067

CHASE HOME FINANCE  
 PO BOX 24696  
 COLUMBUS OH 43224-0696

CITI  
 PO BOX 6283  
 SIOUX FALLS SD 57117-6283

Capital One Bank (USA), N.A.  
 PO Box 12907  
 Norfolk VA 23541-0907

Chase Auto Finance  
 POB 29505 AZ1-1191  
 Phoenix, AZ 85038-9505

Chase Bank USA, N.A.  
 PO Box 15145  
 Wilmington, DE 19850-5145

DAVID L LORD & ASSOCIATES PA  
 2300 24TH AVE  
 GULFPORT MS 39501-4605

(p) DELL FINANCIAL SERVICES  
 P O BOX 81577  
 AUSTIN TX 78708-1577

Dell Financial Services L.L.C.  
 c/o Resurgent Capital Services  
 PO Box 10390  
 Greenville, SC 29603-0390

FIA Card Services, NA as successor in intere  
 Bank of America NA and MBNA America Bank  
 1000 Samoset Drive  
 DE5-023-03-03  
 Newark, DE 19713-6000

HOUSEHOLD BANK  
 PO BOX 4155  
 CAROL STREAM IL 60197-4155

HSBC  
 PO BOX 80084  
 SALINAS CA 93912-0084

HSBC Bank Nevada, N.A.  
 by PRA Receivables Management, LLC  
 PO Box 12907  
 Norfolk VA 23541-0907

J. Gary Massey  
 Shapiro & Massey, L.L.C.  
 1910 Lakeland Drive, Suite B  
 Jackson, MS 39216-5029

JPMorgan Chase Bank, NA  
 3415 Vision Drive  
 Mail Code: OH4-7133  
 Columbus, OH 43219-6009

LVNV Funding LLC  
 Resurgent Capital Services  
 PO Box 10587  
 Greenville, SC 29603-0587

Long Beach Mortgage Loan Trust 2000-1  
 Serviced by Select Portfolio Servicing,  
 3815 South West Temple  
 Salt Lake City, UT 84115-4412

Michael Alan Jedynak  
 Morris & Associates  
 FOR Select Portfolio Servicing  
 2309 Olier Road  
 Monroe LA 71201-2932

Midland Funding LLC  
 by American InfoSource LP as agent  
 PO Box 4457  
 Houston, TX 77210-4457

Portfolio Investments I LLC  
 c/o Recovery Management Systems Corporat  
 25 SE 2nd Avenue Suite 1120  
 Miami FL 33131-1605

(p) PORTFOLIO RECOVERY ASSOCIATES LLC  
 PO BOX 41067  
 NORFOLK VA 23541-1067

SMITH MARGARET A  
 54 JEFFERSON RD  
 WIGGINS MS 39577-9004

Select Portfolio Servicing  
 2309 Oliver Rd  
 Monroe, LA 71201-2932

US SMALL BUSINESS ADMINISTRA  
 801 TOM MARTIN DR STE 120  
 BIRMINGHAM AL 35211-6424

US SMALL BUSINESS ADMINISTRA  
 C/O HONORABLE CROCKET LINDSAY  
 1575 20TH AVE  
 GULFPORT MS 39501-2040

US SMALL BUSINESS ADMINISTRA  
 C/O HONORABLE ERIC HOLDER  
 950 PENNSYLVANIA AVE NW  
 WASHINGTON DC 20530-0009

US SMALL BUSINESS ADMINISTRA  
 C/O HONORABLE STAN HARRIS  
 188 E CAPITOL ST STE 500  
 JACKSON MS 39201-2126

US SMALL BUSINESS ADMINISTRA  
 PO BOX 740192  
 ATLANTA GA 30374-0192

WAL-MART/GEMB  
 PO BOX 981470  
 EL PASO TX 79998-1470

Brian J Dilks  
 Dilks & Knopik, LLC  
 35308 SE Center St  
 Snoqualmie, WA 98065-9216

David L. [G] Lord  
 David L. Lord and Associates, P.A.  
 1819 24th Avenue  
 Gulfport, MS 39501-2974

Margaret A. Smith  
 3289110 X Ave. SW  
 Dickinson, ND 58601

OTTIS B. CHIP CROCKER III  
 2300 24TH AVE.  
 GULFPORT, MS 39501-4605

Warren A. Cuntz Tl Jr.  
 P. O. Box 3749  
 Gulfport, MS 39505-3749

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
 by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

DELL  
 PO BOX 81585  
 AUSTIN TX 78708-1585

Portfolio Recovery Associates, LLC  
 PO Box 41067  
 Norfolk VA 23541

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d) Back Bowl I, L.L.C.  
 c/o Weinstein & Riley, P.S.  
 2001 Western Ave., Ste. 400  
 Seattle, WA 98121-3132

(d) PRA Receivables Management, LLC  
 POB 41067  
 Norfolk, VA 23541-1067

|                     | End of Label Matrix |
|---------------------|---------------------|
| Mailable recipients | 47                  |
| Bypassed recipients | 2                   |
| Total               | 49                  |